G.750

THE HUMBLE REPRESENTATION OF THE COMMISSION OF THE GENERALL ASSEMBLY,

To the Honourable Estates of Parliament, upon their Declaration lately communicate to us.

Edinburgh, 28. *Aprile* 1648.

Printed at *London* by *Edward Griffin* for *I. R.* at the Sun in Pauls-Church-yard, 1648.

THE HUMBLE
REPRESENTATION
OF THE
COMMISSION
OF THE
GENERAL ASSEMBLY

To the Honourable Estates of Parliament, upon their Declaration lately communicate to us.

Edinburgh, 28. April 1648.

FERGUSON 1/84

THE HUMBLE REPRESENTATION OF THE COMMISSION OF THE *GENERALL ASSEMBLY*,

To the Honourable Estates of Parliament, upon their Declaration lately communicate to us.

Edinburgh, 28 *Aprile* 1648.

SEeing your Lordships have been pleased in your Answer to us of the twentie of this Moneth to remit us to your Declaration to the Kingdome, for satisfaction to our eight desires formerly presented to your Lordships, as likewise to our other desire concerning applications to bee made to the King as well as to the Parliament of England; And seeing your Lordships in the same Paper answering our desire to be satisfied in the whole matter, were pleased again to remit us to the Declaration, as containing the grounds and resolutions of the Parliament on the whole matter. Wee have therefore taken to our serious consideration your Lord-

ſhips Declaration, to look after ſatisfactorie anſwers to theſe our deſires, and to be ſatisfied on the whole matter: But inſtead thereof, our feares and diſſatisfactions are not a little increaſed by your Lordſhips Declaration. Wee ſhall not ſearch into ſome particulars in matter of fact, mentioned in the narrative part, neither ſhall we be curious after the reaſon, why in ſo large a Declaration concerning publict dangers, duties, and remedies, There is no expreſſion for preſervation of Monarchicall Government in his Majeſties Poſteritie as well as in his own Perſon.

To the Preface we ſhall only ſay this much, that we could have wiſhed your Lordſhips had been pleaſed to expreſſe your ſelves more plainly, who are thoſe obſtructers and traducers of your Lordſhips proceedings: thoſe deceivers and abuſers of the people, which your Lordſhips (we ſuppoſe) point at in reference to this Kingdome, the Declaration being intended for the Subjects of this Kingdome, whom your Lordſhips call the abuſed People; If your Lordſhips meaning be, that the People are abuſed by the lies and calumnies of Malignants, how comes it that ſo much favour and forbearance is granted to ſuch men? if any others then the Malignant party in the Kingdome be meant, we ſhould be glade they were made known.

In the firſt part of the narrative, concerning the neceſſity occaſion and conſequence of the conjunction of both Kingdomes, We cannot but take notice of that which your Lordſhips ſay of thoſe common enemies, by whoſe counſels and practiſes the compoſing of differences in the beginning was hindered, and what evils this Kingdome might have expected, if theſe counſels and advices which gave firſt life and motion to theſe diſſentions, ſhould have been ſtill prevalent, We deſire it may not be forgotten who were theſe common enemies, and whoſe counſell it was that did prevaile about his Majeſty in the beginning of theſe troubles, and whether there ought not to be a jealous and watchfull eye over any ſuch, if even after their joyning in the Covenant they be found in a way of compliance with known Malignants, and

in

in a way of oppoſition to ſuch as have been moſt active and zealous in the Cauſe from the beginning.

Your Lordſhips adde, that in purſuance of the Covenant this Kingdom joyned in Arms with their Brethren of *England*, and did proſecute theſe ends till their common enemies were ſubdued, and moſt of them brought to ſuch condigne puniſhment, as the reſpective Parliaments thought fit. We ſhall heer paſſe your Lordſhips omitting of the Treaty between the Kingdomes, which may be thought to have had a neer and immediate influence in reference to the conjunction of theſe Kingdomes in Arms, although the Covenant was the chief foundation thereof: But whereas your Lordſhips ſeem to intimate that the cloud of Malignancie was then ſufficiently diſſipat, or at leaſt that the Covenant was ſufficiently performed in bringing Delinquents to ſuch condigne puniſhment as the reſpective Parliaments thought fit; We are ſory that we have cauſe to remember what forbearance, yea, favour and friendſhip hath been granted to many ſuch: and we are ſo far from thinking the danger from theſe former common enemies paſt and gone, that we ſtill ſee Malignancie upon the one hand, as Sectariſme upon the other ſpringing up like roots of bitterneſſe to trouble, yea, to defile many in theſe Kingdomes. theſe are the horns which yet puſh *Judah* and *Jeruſalem* on both ſides, the Lord prepare ſuch carpenters as may cut off both the one and the other.

As for the breaches of Covenant which your Lordſhips inſiſt upon in the following part of your narrative, we wiſh your Lordſhips to remember a paſſage in the Declaration of the Generall Aſſembly, and how cautiouſly they ſpeak of the breach of Covenant in *England*, the words are theſe, *We would not be underſtood as if we meant either to juſtifie this Nation, or to charge ſuch a ſin upon all in that Nation; We know the Covenant hath been in diverſe particulars broken by many in both Kingdoms, (The Lord pardon it and accept a ſacrifice) and we do not doubt but there are many ſeven thouſands in* England *who have not only kept themſelves unſpotted and retained their integritie in that buſineſſe*, &c. That the Covenant hath been foully and ſhamefully broken by as many of the prevalent party of

Sectaries and their adherents, as ever took the Covenant; is clear and undenyable, and by their meanes hath come the resisting and hindering of Reformation, connivance at Heresie and Schisme, and other things contrary to the Covenant; But it can as little be doubted of, that there are dangerous breaches of Covenant by Malignants, both at home and abroad; And your Lordships know, true zeale against breach of Covenant should strike equally on both hands, beginning to reforme at home. Your Lordships say well, that the not takers of the Covenant are by the joynt Declaration of both Kingdomes declared to be publick enemies to Religion and Countrey, and are to be punished as professed Adversaries and Malignants; but we wish your Lordships may not forget to apply that passage of the said Declaration to those who have not to this day taken the Covenant in *England*, and that therefore, they may be lookt upon by your Lordships as common enemies which ought to be suppressed and punished.

The laying aside of the Covenant out of the new Propositions sent to his Majesty to the Isle of *Wight* we utterly disapprove, and are heartily sorry for it; but we wish there had not been some guiltinesse of this same kinde at home, when it was carried in the Committee of Estates, that there should be no mention of the Covenant in the publick desires sent up in *August* last to his Majesty. And whereas your Lordships do enumerate amongst these breaches of Covenant, *that they who ought to be brought to tryall and condigne punishment for hindering the Reformation of Religion, dividing the King from his People, or one of the Kingdomes from another, or making any faction or party among the People, contrary to the League and Covenant, have been protected and assisted*; We shall heer only desire your Lordships to remember, that all this is true of Malignants, as well as of Sectaries: and for our part, (whatsoever liberty there be in the manner or circumstances) wee do not doubt, but the thing it self is necessary, both by the Word of God, and Solemne Covenant, *viz.* That justice be done and condigne punishments inflicted on all hinderers of Reformation and Peace, and all who make factions courrary to the Covenant,

whether

whether they be Sectaries or Malignants: But if it was sufficient that the moſt part of the Malignants were brought to ſuch condigne punishment, as the reſpective Parliaments thought fit, which your Lordſhips gave us a touch of in the precedent part of your narrative, we leave it to your Lordſhips conſideration, whether you do not hereby furniſh ſuch a retortion to thoſe that favour the Sectaries in *England*, as that they may plead from that principle in your Lordſhips Declaration, that the punishment of Sectaries is to be referred ſimplie to the Parliament of *England* as they think fit, and that your Lordſhips muſt allow them the ſame latitude of favour toward the Sectaries, as before you have allowed both to your ſelves and them towards the Malignants. Your Lordſhips adde as another breach of Covenant, that inſtead of a firme Union and Peace between the Kingdomes, a breach hath been endeavoured, which can not be denyed to be a breach of Covenant, and therefore a rock to be the more carefully avoided; It is our griefe that there is alſo cauſe to complain of the Malignant party at home, as no leſſe guilty of endeavouring a breach between the Kingdomes.

The attemps, injuries, and violences of that party of Sectaries againſt his Majeſties Royall Perſon, and the hard condition he is reduced unto by their means, we are very ſenſible of: And, as we have often before profeſſed, our prayers and endeavours according to our place and calling, have not been neither ſhall be wanting for the preſervation of his Majeſties Perſon and Authority, in the preſervation of the true Religion, and liberties of the Kingdomes: And we leave it to be pondered by your Lordſhips, whether they that obſtruct and hinder the requiring of ſatisfaction and ſecurity from his Majeſtie, in point of Religion, before his reſtitution to the exerciſe of his Royall Power, do not upon the matter, and by conſequence obſtruct and hinder his Majeſties deliverance and reſtitution, whereof ſuch ſecuritie and aſſurance had from his Majeſtie, might be a powerfull and effectuall means.

As we know not whom your Lordſhips mean when you ſpeak of ſuch, as had warrand from the Parliament of this Kingdome, for acceſſe to his Majeſtie, and yet were debarred,

and

and as no violence nor injurie offered to a publick Miniſter of another Kingdome can be excuſed, ſo we are informed, that the ſouldiers Act in removing once the Earle of *Lauderdale* from *Wooburn*, was not only diſclamed, but his Lordſhip often thereafter permitted free acceſſe to his Majeſtie.

Your Lordſhips inſiſt upon three inſtances of the breach of Treaties, one of the large Treaty, and two other breaches of the Treaty, 1643. As to the firſt, (which for orders take we begin at) We cannot ſay that it holds forth any convincing clearnes to us; Yea ſo far as we underſtand, the thing whereunto the Kingdom of *England* was bound by the Treaty, was not inſiſted upon by the Commiſſioners of this Kingdom at *London*, but ane alternative, for aſſiſtance againſt the Rebels by Forces or Moneys; After which the Parliament of this Kingdome made a deſire of aſſiſtance by Moneys, which the Parliament of *England* promiſed to take into their conſideration; And ſeeing your Lordſhips in this ſame Declaration wave breaches of Treaty in Money-matters, even where the Money was due by Treaty, Wee hope your Lordſhips will find it the more inexpedient to inſiſt upon the not obtaining of that aſſiſtance by Moneys againſt the rebels, being a way not provided by the Treaty.

Concerning the other two breaches which pitch upon the Treaty, 1643. Firſt, your Lordſhips ſay, that according to the firſt article of that Treaty, the Covenant ſhould have been taken by both Kingdomes, but that now by the prevalent party of Sectaries and their adherents, it is not only laid aſide in the new Propoſitions, and no execution of publick Orders for taking it throughout the Countrey, but many in places of truſt have never taken it, neither are urged to take it. Certainly ſuch ſlighting of the Covenant is a great ſin againſt GOD, and a high contempt of the Covenant; And it is very fit that this Kingdome ſhould deſire the Parliament of *England* to preſſe it, not only upon perſons of truſt, but univerſally on all the Subjects of that Kingdome: yet we are not convinced of any juſt ground of War againſt that Kingdome, in that which hath been inſtanced by your Lordſhips, eſpecially conſidering that the Covenant was taken by the Repreſentatives, and

other

other chief corporations in *England*, whereupon both the Generall Assembly, and the Parliament of this Kingdome have frequently mentioned in their Acts, Letters, and Declarations, the Union and conjunction of both Kingdomes by Solemne Covenant; neither are we without hopes, if things be carried on in a fair and right way, that the Kingdome of *England* may be brought a further length in the performance of this dutie; Whereof we are the more confident, because of th famous and frequent testimonies given to the Covenant, and against the errours of the time, by the Ministry in diverse Provinces in *England*. As for the last breach, which your Lordships conceive to be against the eighth Article of the same Treaty, 1643. Wee heartily wish, that the joint way of applications to the King by both Kingdomes once begun, had been continued, and do conceive very much prejudice to the Cause by the divided way: only, we offer it to your Lordships further consideration, whither this breach be not at least disputable, there being no mention at all in that Article of Propositions, Propositions, or Bills, but only of Cessation, Pacification and agreement for Peace; So that it may justly be doubted whether the sending of those Propositions and Bills to the King without the consent of this Kingdome, hath in it that certainty and clearnesse of a breach of Treaty between the Kingdomes, as may be a ground of War: And if it be a breach of the Treaty for either Kingdome singly and dividedly to send Propositions to his Majestie. We shall crave leave that we may desire to be informed, how this consisteth with that latitude which your Lordships leave afterwards in this same Declaration in the manner of presenting Bills or Acts of Parliament to the King, for your Lordships desire assurance of his Majestie to agree to such Acts or Bills *as shall be presented to him by his Parliaments of both or either Kingdomes, respective*. We might also insist upon some Papers and Propositions presented to his Majestie from this Kingdome at *Newcastle*, and much more upon the Pacification concluded there, with his Majestie, in reference to the disbanding and removing of the Rebels in this Kingdome, and that in a single way (as we conceive) without the knowledge, and concurrance of the Parliament of *England*.

But we shall come to that which your Lordships make the

 result

reſult upon all theſe breaches of Covenant and Treaties, *viz.* That they call upon your Lordſhips to a duty to GOD, your King and Countrey, and to your oppreſſed Brethren in *England*, which your Lordſhips ſpeake more plainly in the next Clauſe, giving us to underſtand, that thoſe differences or breaches are ſuch, as if not repared by amicable endeavours, may otherwiſe neceſſitat this Kingdome to engadge in a War, but that firſt your Lordſhips intend to ſend the three deſires (next mentioned in the Declaration) to the Parliament of *England*: And this is all the ſatisfaction we find to our ſecond deſire, which was, *that according to the Treaties it may be condeſcended upon, and declared by the Parliament, what are thoſe breaches of Peace which they take to be a ground of War, and that reparation thereof may be ſought.* But as we ſee no breach of Peace inſtanced in the Declaration, and as the three breaches of Treaties inſiſted upon by your Lordſhips, ſeem to be at leaſt debatable; So we hear nothing of any reſolution of Parliament, that ſuch breaches as are, or ſhall be condeſcended upon by your Lordſhips, ſhall be made known and ſent to the Parliament of *England*, as we expected and they have deſired by their Commiſſioners here; Only we hear of three deſires to be ſent to the Parliament of *England* for Religion, his Majeſtie, and the Good and Peace of theſe Kingdomes: Wee conceive 'tis the beſt and moſt juſtifiable way of proceeding, that publick, as well as private injuries be declared and made known to theſe whom it concerneth to give ſatisfaction therein. Beſides all this we fear your Lordſhips will hardly avoid a Nationall quarrell againſt the Parliament of *England*, if the three inſtances before mentioned be inſiſted upon as breaches of Treaty to inferre a War; Becauſe when the Houſes were moſt free, and when there was no ſuch overawing influence of the Sectaries party, even then they did not ſuppreſſe the Iriſhes in this Kingdome, they did not enforce the Covenant on all their Officers, much leſſe on all Engliſh Subjects, neither would they then admit that they were obliged by Treaty not to ſend Propoſitions or Bills to the King, without the concurrance of this Kingdome.

In all this that we have ſaid, it is far from our meaning to aſſume any judgement of the Treaties between the Kingdoms; Only becauſe your Lordſhips have remitted us to the Declaration,

tion, for ſatisfaction to our conſciences, as in other particulars, ſo in this of the breaches, We have humbly repreſented to your Lordſhips, wherein we are not clear and ſatiſfied in our conſciences, to conſent and concurre for our part upon ſuch grounds. And withall, ſeeing it is not only our deſire as Meſſengers of Peace, but your Lordſhips profeſſed reſolution in this Declaration, that you will aſſay all Brotherly and amicable wayes, for reparing differences and making up breaches, Wee recommend it to your Lordſhips ſerious thoughts, whether it will not be moſt agreeable to that Brotherly way of proceeding between two Kingdomes in Covenant together, to deſire a Treaty with the Parliament of *England*, concerning the breaches and demands mentioned in this your Declaration, Eſpecially ſeeing the way of Treaty was the way thought fit to be uſed in the years 1639. and 1640. before the Kingdomes were joined in Covenant; How much more now, being ſo conjoined, are all poſſible and lawfull wayes to be tried for preventing the effuſion of more blood.

In your Lordſhips firſt demand which concerneth Religion, there are ſome things wherewith we can not in our conſciences be ſatisfied, as namely, 1. Becauſe the firſt two particulars therein contained, *viz.* concerning the taking of the Covenant, and practiſing of the Directory of Worſhip are preſſed only upon Subjects, which may be interpreted as tending to exempt the Kings Majeſtie, not only from taking the Covenant, (which yet was laudably deſired in the Propoſitions of both Kingdomes) but from having the Directory of Worſhip practiſed in his Family, which was a liberty that his Majeſtie reſerved to himſelf in his late Conceſſions ſent to us, and in diverſe meſſages before ſent to the Houſes of Parliament at *Weſtminſter*. 2. We find nothing in this demand of any application to be made at, or about the ſame time to the King for obtaining aſſurance from his Majeſtie for his Royall conſent; But of this we have expreſſed our ſelves more fully in anſwer to your Lordſhips Paper of the twentieth of this Month. 3 Although this is the ſecond time your Lordſhips cite in this Declaration a paſſage of the joint Declaration of both Kingdoms, by which all that would not take the Covenant were decla-

red to be publick enemies to their Religion and Countrey, and that they are to be censured and punished as professed Adversaries and Malignants; yet we find no such thing declared or resolved by your Lordships in this Declaration, in reference to those who have not to this day taken the Covenant, as that you will hold them all for professed Adversaries and Malignants. We hope your Lordships will not think it just nor equall to presse such a rule upon the Parliament of *England*, except your Lordships be pleased to walk according to that rule your selves. 4. Your Lordships do simply and absolutly desire, that the Confession of Faith transmitted from the Assembly of Divines at *Westminster*, to the Houses, be approven; Whereas the Act of the last Generall Assembly, approving that Confession of Faith, hath in it some necessary cautions, provisoes, and explanations, which as the Generall Assembly judged necessary to be added in their Act, so we do not think that part of your Lordships demand as it stands without any such caution to be safe enough: which among other things shewes the danger and inconvenience of your Lordships taking resolutions in things concerning Religion without our advice and consent. 5. As we desire that, Reformation of, and Uniformity in Religion, may be endeavoured by your Lordships in all fair, lawfull, and brotherly wayes according to the Covenant, and hearnly approve any such desire as your Lordships shall send to the Parliament of *England*, by the advice and consent of this Kirk, for injoying the Covenant, and for bringing the Churches of CHRIST in the three Kingdomes to the nearest Conjunction and Uniformity in one Confession of Faith, Directory of Worship, and Presbyteriall Government; So we would be very cautious, and tender when such desires are turned into causes of War, if not obtained, which is the present case, as we understand by your Lordships expression in the precedent paragraphe.

Your Lordships second demand is. *That the Kings Majestie may come to some of his Houses in, or near* London, *with Honour, Freedome, and Safety, that applications may be made to him by Parliaments of both Kingdomes, for attaining his Royall assent to such desires as shall be by them presented to him for establishing Religion as is above expresst, and setling a well grounded Peace.* This

This demand we conceive to be of dangerous conſequence to Religion and the Covenant for the reaſons and conſiderations following, which we humbly offer to be conſidered by your Lordſhips. 1. All applications and deſires to his Majeſty for Religion are ſuſpended till he come with Honour, Freedome, and Safety to ſome of his Houſes, in, or near *London*; We know not what length of time this may draw to, or how much danger there may be in the delay. 2. The eſtabliſhing of Religion here mentioned, as that which your Lordſhips intend to deſire of his Majeſtie, is according to that which is above expreſſed, where we doubt not your Lordſhips referre to your firſt demand which went before; Whereas the eſtabliſhing of Religion in ſuch a manner as is there expreſſed, we do not think ſafe, for the reaſons before given. 3. We conceive that this ſecond demand amounts to no leſſe then the reſtitution of his Majeſtie to the exerciſe of his Royall Power before Applications made, and deſires preſented to him, much more before aſſurance and ſecurity had from him, for the ſetling of Religion in the right manner, and according to the Covenant. For beſides what we have expreſſed in our laſt Paper preſented to your Lordſhips, that this honour, freedome, and ſafety is conceived by your Lordſhips to be ſuch, as may enable his Majeſtie to effectuat his Conceſſions concerning Religion; And what is that leſſe then the exerciſe of his Royall power reſtored? This we further adde, that we humbly conceive his Majeſties Honour may comprehend, or may be made uſe of as comprehending, not only the poſſeſſion of his Revenews, but alſo the exerciſe of his Royall Government: Next, being in freedome, he may repare to any part of his Dominions in *Scotland*, *England* or *Ireland*; And laſtly, being reſtored to be in a condition of ſafety, he may provide Forces for guarding Himſelf againſt all apprehended dangers, for if Guards ſhould be ſet about him by his Parliament, it will be ſaid to be contrary to the condition of freedome; So that being reſtored to ſome of his Houſes, in, or near *London*, with Honour, Freedome, and Safety, We do not conceive what he ſhall want of the exerciſe of his Royall Power; Conſidering withall, that neither Himſelf, nor any others will conceive

the Honour, Freedome, and Safety to be Kingly, and such as becomes his Royall Person, if he shall want the exercise of his Royall Power: Yet this restitution of his Majestie to the exercise of his Royall Power, before security had from him for settling Religion, Your Lordships know by our eight Desires, and otherwayes, is conceived by us to be inconsistent with the safety and security of Religion. 4. If his Majestie were once come with Honour, Freedome, and Safety to some of his Houses, in, or near *London*, We know not what influences he may have upon the Houses of Parliament to obstruct and hinder their presenting of Bills to Him, for enjoining the Covenant, abolishing Prelacy, and the Book of Common-prayer, Establishing the Confession of Faith, Directory of Worship, and Presbyteriall Government; Or what strength his Majesty so restored may again attain by the assistance of the Popish, Prelaticall, and Malignant party, for a new and bloody War, to the devastation of these Kingdomes, and the ruine of our Religion and Liberties. Which things we have the more cause to fear and apprehend, his Majesty having declared and professed, that he is oblieged in conscience to emprove all the power which GOD shall put in his hands, for the establishment of Episcopacy. 5. To insist upon the bringing of his Majesty to some of his Houses, in, or neer *London*, before satisfaction and security had from him in point of Religion, and in such other things as are necessary for the safety of the Kingdomes, could not as we conceive but be an exceeding great discouragement and offence to the Presbyterians in *England*, who will conceive (if such a thing be pressed upon them) that the remedy propounded in your demand is worse then the disease. And we have also heard, that the Parliament of *England*, when they were as free as ever they were, would never agree to his Majesties comming to *London*, with honour, freedome, and safety, without security first had from him in such things as are necessary for Religion, and the safety of the Kingdome. 6. Seing your Lordships are oblieged by the third Article of the Covenant, to defend his Majesties Person and Authority, in the preservation and defence of the true Religion, and Liberties of the Kingdomes; We conceive your Lordships should

not

not demand from, nor presse upon the Kingdome of *England*, His Majesties restitution with Honour, Freedome, and Safety, except with that qualification in the Covenant, and with a subordination to Religion and the Liberties of the Kingdoms. And how can this subordination according to the Covenant be said to be observed in your Lordships demand as it stands; for, if His Majesty be brought to some of His Houses, in or near *London*, with Honour, Freedome, and Safety, before so much as applications be made to Him for establishing Religion and Peace, we then leave it to your Lordships consciences, whether His Majestie shall not be restored to His Honour, before JESUS CHRIST be restored to His Honour, and set upon His Throne of Government in His Church: Whether His Majesty shall not be in a condition of Liberty before the Ordinances of CHRIST have a free course, and whether His Majesties safety shall not be provided for and secured, before either Church or Kingdome can say they are in a condition of safetie. And is this to endeavour the setling of Religion before all worldly interests, or rather to make it come after the Kings interest? 7. We fear that if after so many instructions from the Parliament, Convention, and Committee of Estates to their Commissioners at *London*, from time to time, for endeavouring in the first place, the setlement of Religion, and then to endeavour the removing of the Civill differences, and the restitution of the King, upon His first giving satisfaction in Religion and the grounds of a solide Peace; And if after it was declared by this Kingdome, (during His Majesties being at *Newcastle*;) that they could not admit of His Majesties coming to *Scotland* in freedome, unlesse His Majesty granted the Proposition concerning the Covenant and Religion, and gave a satisfactory Answer to the rest of the Propositions; Likewise, if after such a Declaration of the Parliament of this Kingdome, *January* 16. 1647. for His Majesties being in some of His Houses, with such attendance as the two Houses should think fit, untill He give satisfaction in the Propositions; If after all this it be now insisted upon, that His Majestie may be restored with Honour, Freedome, and Safety, before such

satisfaction had from Him, we fear it shall lye as a great scandale upon this Kingdome, and as too sensible and apparent a change of their former principales and professions in a point so much concerning the security of Religion. 8. We are very apprehensive, that your Lordships urging the disposall of the Kings Person in *England*, in such a way as that he may come to *London* with Honour, Freedome, and Safety, without his Majesties giving, or Your Lordships desiring his Majestie to give satisfaction and securitie in Religion, and in such things as belong to the safety of the Kingdome (without which there can be no lasting security expected to Religion) As it is a farre different point from the urging of a joint interest in the disposing of the Kings Person by both Kingdomes for the good of both, So it will be judged by most of all parties in *England*, that ever concurred in this Cause, to be so prejudiciall to their Nationall Rights and Liberties, and such an encroachment thereupon (though your Lordships declare you have no such intention) as that it will unite them all in opposition to this Kingdome, and consequently alienate them from the intended Uniformity in Religion, according to the Covenant. As these reasons make us conceive your Lordships second demand to import no small danger to Religion, So we would not be understood as if we had any thoughts to decline the restoring of his Majestie to the same condition he was in, by the agreement of both Kingdomes, when he was taken away by a party of the Army under the command of Sir *Thomas Fairfax*, That both Kingdomes may freely make their applications to Him.

Concerning your Lordships third demand, That the present Army of Sectaries may bee disbanded, for the ends expressed in the demand, As we think no persons whatsoever fit to be imployed or entrusted in the Armies of either Kingdome, we have not taken the Covenant. And that all Sectaries in *England* that are in Armes should be disbanded and disarmed, So we conceive there is also reason for your Lordships to foresee, and provide against the danger of the rising again of the Popish Prelaticall and Malignant party in Armes, and the rather, because of the late commotions begun by some

of

of them both in *England* and *Ireland*; Those being also some both in *Wales* and *Ireland* actually in armes, who have discovered and declared their principles and ends to be very Malignant; Wherein we are informed they are the more animated and encouraged upon confidence of some agreement between his Majestie and this Kingdome. It is further to be considered, that this Demand being joined with the second, the present Army in *England* disbanded, and his Majestie brought to *London* with Honour, Freedome, and Safety, how easily may all the Malignant, Popish and Prelaticall party in his Majesties Dominions flock unto him? Which how prejudiciall it may be, his Majestie keeping fast his principles, is easie to be judged.

As for the exceptions added in your Lordships demand, to passe the ambiguity thereof, your Lordships except from the said disbanding, the Garisons necessary to be kept in *England*, and desire that these Garisons may be commanded by such, as have or shall take the Covenant, and be well affected to Religion and Government, but do not desire any such thing concerning the Garisons themselves; Which may be understood as a tacite Confession on your part, that all the Garisons to be kept in *England*, may be of such as have not taken nor shall take the Covenant, nor are well affected to Religion and Government, provided that those Garisons be commanded by such as your Lordships describe.

We have but one point more to adde, concerning this third and last demand; For we cannot conceale our feares and apprehensions, that your present resolutions and proceedings, and the entertainment of English Souldiers, whereof many are Papists and Malignants, and some eminent in Malignancy, is not the way to further, but to retard and hinder the disbanding of the present Army in *England*, and to frustrate the ends your Lordships propose in your Declaration for the disbanding of that Army.

And whereas your Lordships declare, that it is not your intention at all to make a Nationall engadgement against the Parliament and Kingdome of *England*, but for them; As we shall not presume to prejudge the Nation in their rights and priviledges

ledges of another Kingdome, So we cannot see how the principles of your Lordships Declaration can consist with the first part of our third desire, which was, That there may be no such quarrell or ground of the War as may break the Union between the Kingdomes; For we conceive there are diverse such quarrels in the Declaration as fall directly and necessarly upon the votes and proceedings of the Houses of Parliament, even when they were most free.

Concerning that which your Lordships adde in reference to the latter part of our third desire, and to our whole fourth desire, We humbly conceive, it is very far short of that which is no lesse your Lordships durty then our desire; for, 1. Your Lordships only declare against Association and Conjunction of Forces with those who shall refuse to swear and subscribe the Covenant, which doth not exclude Association of Forces with such as neither have taken, nor shall take the Covenant, so that they be not urged thereto, and so not reckoned amongst refusers. This we have the more reason to take notice of, because your Lordships have before in this same Declaration complained that there is no urging of the Covenant in *England*, nor no execution of Publict Orders for taking of the same. Which being so; How shall your Lordships find the Malignants in *England* to be refusers of the Covenant, except your Lordships enforce it upon them, Which we suppose your Lordships intend not to do? 2. Your Lordships do not declare, that if any who have not taken, and shall not take the Covenant, nay not so much as they that shall refuse the Covenant; if they rise in Armes, your Lordships will oppose them, and endeavour to suppresse them, only your Lordships say, you will not associat nor joine Forces with them. 3. Whereas your Lordships say, *That you will be so far from joyning or associating with the Popish, Prelaticall, or Malignant party, if they shall again rise in Armes, either to oppose or obstruct all or any one of the Ends of the Covenant, that you will oppose and endeavour to suppresse them as enemies to the Cause and Covenant*; We beseech your Lordships to consider whether this part of your Declaration doth not reserve a latitude, that if the Popish, Prelaticall, or Malignant party shall rise in Armes for the Kings restitution,

and

and can but have so much cunning (which is more nor probable) as to conceale their intentions of obstructing or opposing all, or any one of the Ends of the Covenant, in such a case it may be free to your Lordships in stead of opposing or endeavouring to suppresse them, that you shall both protect their persons and estates, and also joyne or associate Forces with them. In all which we have the more cause to be full of feares and apprehensions, because of so many English Malignants, even now protected and intertained in this Kingdome, in hopes of military employments, yea diverse of them (as we are informed) such as have served against this Cause and Covenant.

As to that which follows relating to our seventh desire, concerning such as are to be entrusted in Armies and Committies, we shall need to say no more then was expressed in our humble Representation, *March* 29. Namely, that your Lordships omit in your Answer some of the qualifications expressed in our desire, *viz.* such as have given constant proof of their integrity and faithfulnesse in this Cause, and against whom there is no just cause of jealousie, that so we may the more confidently encourage our Flocks to follow the Cause of God in their hands, and not to doubt of their fidelity; Which qualifications being contained in our desire, and omitted in your Lordships Answer, we are not without fears, that this omission may be made use of by some, as if your Lordships had not meant to agree fully to that desire, and so take occasion to deal for employing and entrusting such in the Committees and Armies, as may be justly excluded by the qualifications contained in our said desire.

These things having beene before represented to your Lordships, and there being nothing in your Lordships Declaration to satisfie or take off these our feares, but such expressions insisted upon as keep aloof from the qualifications desired by us, all that are unbyassed may easily judge whether we have not herein some reall ground to be unsatisfied.

That which followeth in the Declaration concerning the rescuing of His Majesties Person, that He may come with Honour, Freedome, and safetie to, or neer *London*, where no

 both

both Kingdomes may make their applications to Him, for setling Religion and Peace, we have before spoken fully to it. And whereas your Lordships adde a kinde of *Salvo* in satisfaction to our fifth and sixth desires, it will plainly appear that these desires are not satisfied by any thing here expressed in your Lordships Declaration. Your Lordships say, You resolve not to put in His Majesties Hands or in any others whatsoever, any such power whereby any of the ends of the Covenant may bee obstructed or opposed: But may it please your Lordships to give us leave to put you in minde, 1. That your Lordships words may bee understood, either in this sense, that you are not resolved to put any such Power in His Majesties Hands, And if so, your Lordships know, what you resolve not now, you may resolve afterwards; Or in this sense, that your Lordships are resolved that you shall put no such power in His Majesties Hands, and if so, then there remaines some doubt how far that power extends, which your Lordships conceive shall not be able to obstruct or oppose any of the ends of the Covenant, or endanger Religion and Presbyteriall Government; Or whether it bee meant to be extended to His Majesties negative voice. 2. When your Lordships say, that you are not resolved to put any such power in His Majesties Hands, This needeth not hinder your Lordships yeelding and acquiescing if others put such power in His Majesties Hands; For resolutions not to doe a thing, may stand with resolutions not to hinder it. 3. When your Lordships have resolved to oppose the putting of any such power in His Majesties Hands, as may be destructive to Religion, Yet upon supposition, that His Majestie is come to *London* with Honour, Freedome and Safetie, wee doubt, whether it may not prove impossible to your Lordships to hinder the putting of such a power in His Majesties Hands.

Your Lordships adde what assurance you intend to crave from His Majestie for satisfaction in point of Religion; But withall, we observe three limitations or qualifications joined therewith, which (so far as We are able to judge) leave this great point in a verie dangerous uncertaintie. 1. Your Lordships resolve, that His Majestie give this assurance for Religi-

on, *before any agreement or condition to be made with His Majestie*, which is the expression chosen by your Lordships in stead of that clause in our sixt desire, *Before his restitution to the exercise of his Royall Power*. If your Lordships expression were onely a more smooth one, with the like securitie to Religion, (such as your Lordships Answer *March* 27. did put us in hopes of) wee should have chearefully acquiesced: but wee are so far from perceiving the like securitie to Religion, that we rather fear your Lordships qualification may make void and frustrate the securitie that we desired. For first, It clearly supposeth, that His Majestie shall come with Honour, Freedome and Safetie to *London*, before any agreement or condition to be made with Him; For such agreement or condition to be made with His Majestie being posterior to the assurance to be had from Him for Religion, must be much more posterior to His Majesties coming to, or neer *London* with Honour, Freedome, and Safety, according to the method of proceedings proposed in the Declaration; Now being once at *London*, with Honour, Freedome, and Safety, and that without any agreement or condition made with Him, it is not probable to us, that His Majesty will then desire any agreement, or condition, unlesse it be for some Concessions on His Parliaments part, and among other Concessions probably somewhat for Episcopacy too, for establishing whereof, He conceiveth Himself obliged in conscience to make use of His Power as was before observed. The result of this point that we humbly conceive is, that notwithstanding of that clause, *before any agreement or condition to be made with His Majesty*, or any thing else in the Declaration, His Majesty may be restored to the exercise of His Royall Power before security had from Him for Religion as we desired.

The next qualification added by your Lordships, immediatly is in these words, *having found His late Concessions and offers concerning Religion not satisfactory*; where first, the words *having found*, may be variously understood, either, *when His Majesty shall have found*, or, *when your Lordships shall have found*, or, *because His Majesty hath found*, or, *because your Lordships have found*.

Next, the words, *not satisfactory*, are as doubtfull, and may

be interpreted in severall senses, either that His Majesties late Concessions and Offers concerning Religion, *are not satisfactory in themselves*, or, *that they are neither satisfactory to your Lordships, nor to us*, or the meaning may be only, *that they are not satisfactory to us*. Which doubtfulnesse in the sense of the words we have more cause to observe, because your Lordships have not hitherto returned us any clear or positive answer to our fifth desire: *That His Majesties late Concessions and Offers concerning Religion, as they have been by the Church, so may be by the Parliament declared unsatisfactorie*, Only your Lordships are pleased here to make a light transition over that which we conceived to bee unto us a grave subject of a Solemne Declaration.

The third qualification in the assurance to be required from his Majestie, is, that he shall agree to such Act or Acts of Parliament, and Bills, as shall be presented unto Him by His Parliaments of both or either Kingdomes respectively for enjoining the Covenant, and establishing the Presbyteriall Government, Directory of Worship and Confession of Faith in all His Majesties Dominions. But we humbly conceive, it were more for the glory of God, good of Religion, and his Majesties own happinesse, that his Majestie should after the example of the Godly reforming Kings of *Judah*, and of the best Christian Emperours of old in the Christian Church, declare his own zeale and forwardnesse for the Reformation, and setling Religion, and that your Lordships should do well to sollicite and incite his Majestie hereunto, rather then to seem to yeeld so farre, as that his Majestie shall be free for his part, till his Parliaments of both or either Kingdomes respectively agree what Acts or Bills to present to him; The preparing and presenting whereof, how much it may be retarded and obstructed by the prevalency both of Malignants and Sectaries, we know not: Seeing therefore His Majestie owes a dutie both to God and to his people for the Reformation and setlement of Religion, your Lordships may do better to sollicite his Majestie, and to desire that he will positively declare himself willing and ready for his part and for that dutie which is incumbent to his Majestie, and that he give assurance for the same in the particulare. Your

Lordshipt

Lordships further declare in reference to our eighth and last desire, *that you are willing to subsume to the grounds of your undertaking an Oath, wherein both in the framing thereof and otherwise your Lordships are willing the Church shall have their due interest as formerly in the like cases*; Where, as wee know not how farre your Lordships meaning doth reach in the word *otherwayes*, and in the word *due*: So we know not why your Lordships did not think fit to agree to our desire as it was conceived, and as the words stood, viz. *That there may be no ingagement without a Solemn Oath, wherein the Kirk may have the same interest which they had in the Solemne League and Covenant*, which desire is in part unsatisfied, that for our interest in the matter of the Oath, and in the grounds of the undertaking, we do not see it allowed or preserved to us. But rather that the Declaration holdeth foorth the grounds of the undertaking already resolved upon by your Lordships; Only leaving us an interest in the forme of an Oath to bee subjoined, and that not without some uncertaine and dubious qualifications, as hath been touched. Mean while we see only a Declaration without an Oath; And as Declarations are alterable by Parliaments, and their proceedings sometimes not agreeable to their Declarations (which the experience of these times hath taught us) so if there were an Oath subjoined to the grounds of undertaking expressed in this Declaration, we could not account it a lawfull Oath, but that it would make the businesse worse.

Your Lordships adde somewhat further, relating to the matter of our first and second desires, namely, *That your Lordships are resolved not to engage in any War before the necessity and lawfulnesse thereof be cleared, so as all who are well affected may be satisfied therewith, and that reparation to such breaches and injuries as are, or shall be condescended upon, shall be demanded in such a just and fit way as shall be found most lawfull and expedient.* This clause, as likewise that which followeth, that many of the dangers with the grounds and resolutions, are by this Declaration of your Lordships made known to this Kingdom, seems to hold us in suspense, till all the dangers grounds and resolutions be made known, and till the lawfulnesse and necessity of the

War

War bee cleared, and the way of seeking reparation resolved upon; Yet your Lordships may bee pleased to remember, that in that part of your Answer to us of the twentieth, which is a returne to our desire of knowing fully your Lordships resolutions, and being satisfied on the whole matter, we were remitted to the Declaration, containing the grounds and resolutions of the Parliament on the whole matter.

As to that which followeth, concerning a present putting of the Countrey in a posture of defence as in *Anno*, 1643. we should be glad it were made to appear really that the grounds, principles and ends were the same now, they were in the year 1643. Otherwise the like Act upon different grounds, and for different ends make it not the same cause. Your Lordships do indeed speak of the principles expressed in the Declaration, as the same with the first principles contained in our Nationall Covenant, and in the Solemne League and Covenant. But what reason we have to conceive they are new and different principles, may appear by the severall particulars before mentioned. We cannot here passe a new interpretation which the Declaration puts upon the Solemne League and Covenant, *viz. That we did Solemnly swear and promise before God and his Angels, to endeavour Reformation of, and Uniformitie in Religion and Church Government in all his Majesties Dominions according to the Word of GOD, and the Example of the best reformed Churches.* Where we passe your Lordships limiting and restricting of Uniformity more then the Covenant doth; which may infer that Uniformity in Church Government between the Churches of CHRIST in these three Covenanted Kingdomes, is not to be urged in any other manner or measure then we have a precedent of in other reformed Kirks; but that which here we chiefly aime at, is the following clause of the Declaration; *viz. And not only to the utmost of our power, with our means and lives to stand to the defence of our dread Soveraigne, his Person and Authority, in the preservation of the true Religion and Liberties of the Kingdom, but also in every cause which may concerne His Majesties Honour, to concur according to the Lawes of this Kingdom and duite of good Subjects.* Yet your Lordships know, that no such interpretation hath bee made by the Assemblies of the Kirk of the

Solemn

Solemne League and Covenant, as your Lordſhips are pleaſed here to make of it. If it be ſaid, that your Lordſhips meaning was only of our Nationall Covenant, yet it may be obſerved withall, that the plain and grammaticall conſtruction of the words will carry that interpretation either upon the Solemne League and Covenant only, or both upon it and upon our Nationall Covenant. How ever, although our Nationall Covenant only were here fixed upon, concerning which there is ſuch an expreſſion in the ſupplication of the Generall Aſſembly, *Anno* 1639. to his Majeſties Commiſſioner and the Lords of Secret Counſell, yet there are ſome weighty conſiderations which we humbly offer againſt the application of that Supplication of the Aſſembly, to the preſent buſineſſe; for, 1. His Majeſtie was at that time giving ſatisfaction to the publick deſires of this Kirk concerning Religion; We heartily wiſh we might ſay the like now. 2. We do not ſee the Cauſe ſtated in the Declaration to be for his Majeſties Honour, and ſo to fall within that duety expreſſed in the Declaration of the Generall Aſſembly. And as one of the ends of the Covenant was His Majeſties Honour and Happineſſe, and your Lordſhips alſo have acknowledged in your Oath of Parliament, that the Honour, Happineſſe, and Greatneſſe of the Kings Majeſtie, doth depend on the Purity of Religion as it is now eſtabliſhed in this Kingdome, So whatſoever croſſeth or prejudiceth the grounds of the Covenant, or any of the ends thereof, cannot with us find any ſuch commendation as to be a cauſe which concerneth his Majeſties Honour. 3. Whatſoever we owe to the King in civill matters diſtinct from the Cauſe of Religion, ſure all theſe other duetie's are with a ſubordination to the glory of God, and good of Religion, and we are very confident it was, and will be far from the thoughts of the Generall Aſſembly, under colour of his Majeſties Honour to concur with Him, or any in His Name, in a cauſe which is hurtfull and prejudiciall to the good of Religion, and to the other ends of the Solemne League and Covenant, yet the cauſe ſtated in the Declaration, we humbly conceive to be ſuch. 4. It may be remembred that the *Croſſe-petition* having cited the ſame clauſe of the ſaid Petition of the Generall Aſſembly, and ma-

king uſe thereof in order to an engadgement in War in his Majeſties quarrell againſt the Parliament of *England*, was declared againſt by the Commiſſion of the Generall Aſſembly, *Anno* 1643. And among other particulars it was then declared, that the limitations expreſſly mentioned in the words cited out of the Aſſemblies Supplication, *viz. according to the Lawes of this Kingdome, and duty of good Subjects* were interpreted by ſome that ſpake at the time in the Generall Aſſembly to be all one, as if it had been ſaid, *within this Kingdome*, we not knowing of any Lawes of this Kingdome of further extent. It was alſo then obſerved and may now be applied and remembred, that the Nationall Covenant having been ſubſcribed in the Yeares 1581. and 1590. before King James was King of *England*, and being qualified in the particular Heads and Articles by expreſſe limitations and reſtrictions to this Kirk and Kingdome, to the Religion, Lawes and Liberties of *Scotland*, can no more be extended to municipall debates, and to the Lawes and Liberties of *England*, unto which we are ſtrangers, then the Kingdome of *England* can judge of our Lawes, and determine our differences, the two Kingdoms being ſtill independent each on other, and not ſubordinate one to another, as the firſt Article of the large Treaty fully declareth.

As to that we finde in the cloſe of the Declaration, that this Kingdome of *Scotland* will now make it evident, as they have often declared, that their quietneſſe, ſtability, and happineſſe doth depend upon the ſafety of the Kings Majeſties Perſon, and maintenance of His Greatneſſe, and Royall Authority, who is Gods Vicegerent ſet over us, for Maintenance of Religion, and Miniſtration of Juſtice, we ſhall only put your Lordſhips in minde, that your Nationall Covenant joineth with his Majeſties Safety, his good behaviour in his Office: and ſayeth, *That the quietneſſe and ſtability of our Religion and Kirk doth depend upon the ſafety, and good behaviour of his Majeſty, as upon a comfortable Inſtrument of GODS Mercy granted to this Countrey for the Maintenance of his Kirk, and Miniſtration of Juſtice.* Otherwiſe, if a King do not his duty for the Maintenance of the true Religion, and Miniſtration of Juſtice, It is not His ſafety alone, that make His People to be in quietneſſe and happineſſe,

happineſſe; Withall, as our quietnes and happineſſe dependeth on his Majeſty, and his doing of his duty as an inſtrument and Miniſter of God for good; So the Honour, Greatneſſe, and Happineſſe of the Kings Royall Majeſty, and the welfare of the Subjects, depend upon the purity of Religion, as is well expreſſed in your Lordſhips Oath of Parliament.

And now we ſhall with your Lordſhips favour and permiſſion make this concluſion upon the whole matter, That as we neither were nor are againſt an engadgement with this Kingdome in War, but have been and ſhall be willing to conſent thereto, If once ſatisfied in our conſciences concerning the clearnes, lawfulneſſe, and neceſſity of the Cauſe, and quarrell, and concerning our calling, manner of proceeding, Inſtruments to be entruſted, ſecurity to be had for Religion, and other particulars contained in our former Papers not yet ſatisfied by your Lordſhips: So we are neceſſitate to proteſt & declare to your Lordſhips, that we cannot, we dare not in our conſciences agree to an engagement upon ſuch grounds, and in ſuch a way as is ſtated in your Lordſhips Declaration: And therefore, for our exoneration do diſſent from the whole complex buſineſſe in the ſaid Declaration, as not containing clear and convincing grounds of undertaking of a War, nor providing for the ſecurity of Religion, nor clearly diſclaiming his Majeſties late Conceſſions and offers as unſatisfactory, not tending to the ſuppreſſion of the Malignant party, but rather to compliance with them, as we humbly conceive, nor preſerving the Liberties and known intereſt of the Kirk, nor propoſing the way of Treaties, and all other poſſible wayes of Peace to be ſought and eſſayed before a War. For which reaſons, and others before mentioned, upon the particular heads of the Declaration, we plainly declare our diſſent from the complex circumſtantiat ſtate of the preſent buſines contained in the ſaid Declaration, And take to witneſſe, GOD, Angels, and Men, that your Lordſhips have not wanted warning from the Watchmen, And that we ſhall be free of all the diſtractions, confuſions, miſeries and blood, which may follow upon your Lordſhips proceeding to an engadgement in War, upon the grounds of the Declaration. We further call to record, the Searcher of

all hearts, and the righteous Judge of all the World. That our not concurring proceedeth not from want of Zeale against Sectaries, nor from any remissenes in that which may concern his Majesties true Honour, and Happinesse, and the preservation of Monarchicall Government in Him and His Posterity, nor from any want of tendernes of the Priviledges of Parliament, nor from any want of Sympathie with our afflicted and oppressed Brethren in *England*, In reference to all which our proceedings have been, and shall be (we trust) reall Testimonies of our affection and sincerity; But our not concurring proceedeth meerly from tendernesse in the point of security of Religion, and Union between the Kingdomes, and from the unsatisfactorinesse of the grounds of your Lordships Declaration, as hath been expressed in the particulars. Wherefore we humbly beseech your Lordships to interpret favourably and charitably any liberty which we have used, (the matter being such as loath sad and weighty upon our Consciences) And that your Lordships would also be pleased to be mindfull of making good that passage of your Declaration, where you say *that you [illegible] not to engadge in any War, before the necessity and [illegible] thereof be cleared, [illegible] who are well affected may be [illegible] therewith*; Which [illegible] Lordships shall be pleased to do, there is a door of Hope yet open, and we shall not cease to pray unto the Lord (as he shall assist us) that a Spirit of Counsell and Understanding and of the fear of the LORD may be upon you, and that GOD would graciously rid both your Lordships and us out of all hid and lurking snares, and so guide your Lordships, as that there may be yet a sweet and harmonious joining of hearts and hands upon right Principles, Grounds and motives, in a right way, and for the right Ends.

A. Ker.

FINIS.